

JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
August 2, 2005**

Present: Commissioners Lythgoe, Notbohm and Weber; Harold Stepper, County Planner; Dennis Lay, Jan Anderson, Bob Peccia, Gordon Larson, Jennifer Pryor, Joy McGrath

MINUTES

Commissioner Weber moved to approve the minutes of July 26. Commissioner Notbohm seconded. The motion carried.

CALENDAR REVIEW

- 8/04 Safety committee - 8:00
Whitehall Chamber - noon
- 8/05 Emergency Commission meeting - 9:00
- 8/08 Meeting at MDT - 9:00
- 8/09 Meeting regarding possible expansion of office space - 11:00

COMMISSION REPORTS

MILL VALUE

Commissioner Lythgoe reported that the mill value was received from the Department of Revenue the previous day.

SUBDIVISION REVIEW

FINAL PLAT APPROVAL - JEFFERSON HEIGHTS MAJOR SUBDIVISION

Harold Stepper, County Planner, presented his staff report and stated that all conditions of approval have been met, with the exception of the cash-in-lieu of parkland dedication. Harold then read a letter from the developer, Dennis Lay (attached), requesting that the cash-in-lieu amount be reduced. Harold stated that it was up to the Commission to make that decision. Commissioner Lythgoe asked Harold if he had a recommendation on the matter. Harold stated that it was a fair price, and recommended that final plat approval be granted. Commissioner

Lythgoe moved to accept \$4,617.56 as cash-in-lieu of parkland dedication for the Jefferson Heights Major subdivision. Commissioner Weber seconded. The motion carried.

Commissioner Lythgoe moved to give final plat approval to the Jefferson Heights Major subdivision. Commissioner Notbohm seconded. The motion carried.

Dennis Lay, the developer, stated that he appreciates the Commission's support in the effort he has gone through. He would like to comment on the cash-in-lieu of parkland; this is a significant amount of money for him. He stated that he sees no parks in Jefferson County although he knows that the money sits in trust for something. He would like to see community parks in Montana City, Clancy, etc. Commissioner Notbohm stated that this has been discussed at length; it comes down to maintenance and money, noting that the existing parks tend to be run down. Harold stated that when the county utilizes the cash-in-lieu money, only fifty percent can be used for the maintenance of parks; the rest is set aside to purchase more parkland. Changing this requirement has been discussed at the legislature, but has not gotten anywhere.

ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

Commissioner Notbohm stated that he has a commitment that requires him to leave before the end of the meeting. He would like to comment on an upcoming agenda item however, as he will not be in attendance during the discussion. Regarding the request for funding for the South Helena Interchange project, he feels that there are too many things that will be a conflict of interest regarding the engineering. What the engineer is proposing is good, but he stands to gain from the project, so it could be a conflict to give him money. He would not agree to any more monies going to this project.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

DISCUSS AND DECIDE ON PURSUING AN EASEMENT ACROSS STATE LANDS ON MICROWAVE HILL ROAD

Commissioner Weber stated that Microwave Hill Road goes through a portion of state lands with no easement. Zoning may be reopened, and he feels that it is best to pursue this now, before zoning is opened. The County has an easement on either side of the state lands. Harold stated that the road goes through a 160-acre tract off of Microwave Hills Road, which is currently being made available for sale. There are no records in DNRC that the County has access. Microwave Hill Road has a maintenance level of B up to the west side of the state lands, and is level Z on the other side. Harold stated that if this parcel comes up for sale, the county needs to have access to the other side. If the land is sold, it will go to private ownership. The land is currently in basic resource, but the County cannot enforce zoning on state agencies. Because of this, the DNRC can decide to split the parcel into 1-acre parcels if they choose. Commissioner Lythgoe stated that the parcel will not be split, and is being advertised as one parcel. Harold stated that he has had numerous calls from people who would want to split the parcel, but once the land is sold to a private individual, the land is under the zoning and subdivision regulations. Commissioner

Weber stated that it would probably be wise to approach DNRC regarding an easement, and he feels that it needs to be done.

Commissioner Weber moved that the Commission pursue gaining a permanent easement through state lands in 9N 3W S12, on the present course of Microwave Hill Road. Commissioner Lythgoe seconded. The motion carried.

DISCUSS FUNDING FOR TRI-COUNTY FIRE GROUP

Commissioner Lythgoe stated that the Tri-County Fire Group is made up of Commissioners, private fire fighters, fire departments, private contractors and DES from Jefferson, Lewis & Clark and Broadwater counties. The purpose of the group is to identify areas in the tri-county area with a potential for catastrophic fire and to mitigate that potential. There has been extensive mitigation in Lewis & Clark County, and much has also been done in northern Jefferson County. Commissioner Lythgoe stated that he feels that the public entities in the group need to step up and provide money to further the programs. Jefferson County has benefitted to the tune of several thousands in grants. He stated that there is some money available through the Title IV program, but he would like to do a combination of PILT and Title IV. He would like to earmark \$50,000. Commissioner Lythgoe noted that Pat McKelvey was supposed to be in attendance, but he is currently out on a fire. Commissioner Lythgoe stated that he wanted to put this idea on the table before the budget is finalized. Commissioner Weber stated that this group works with private industry and with county fire groups. They should look at some way to keep it viable for the health, safety and welfare of citizens. He stated that he is not sure where the budget is currently, but he is a proponent of having the discussion. Commissioner Lythgoe stated that he will make sure to get Pat to a meeting before a decision is made. Commissioner Weber noted that it would be beneficial to sit down with the Lewis and Clark and Broadwater Commissions and Pat to discuss this, if at all possible. Commissioner Lythgoe stated that he is hoping that Jefferson County's participation will stimulate the involvement of other counties.

JENNIFER PRYOR - PRESENTATION OF MONTANA SHARES PROGRAM

Jennifer Pryor stated that she is with the Montana Artist's Refuge, which is a member of Montana Shares. It is their hope to get the county employees involved with the program. She then introduced Joy McGrath, the Executive Director of Montana Shares. She stated that Montana Shares is a non-profit organization, made up of a wide spectrum of non-profit organizations. All of the money raised by Montana Shares stays in Montana, benefitting Montanans. Montana Shares allows employees to have a payroll deduction for charitable causes. It also provides information on different organizations, so that employees can be informed. Donors can also designate where their money will go. Local organizations can be added, but they have not approached local organizations yet, as they wanted to see if the proposal will be accepted. They have approached the schools, who have agreed to put it before the employees.

An annual report is required at the end of the year from non-profits, to ensure that monies are being spent as designated. Joy stated that she would like to present the option at a staff meeting, so that the information is read and so that questions can be answered. Payroll withholding would

be on the calendar year, so the campaign would be in the fall. Deductions can be paid to Montana Shares monthly, quarterly or yearly. Jennifer stated that she gave through payroll deduction when she worked at MDC, so she knows that it works, and it is a great way to give. There is no thought involved, there is no need to budget, and it gets local groups involved.

Commissioner Weber stated that one thing that interested him is working with local restaurants to benefit local groups and raise awareness. Joy stated that it does raise awareness, and she would also like to thank the business community. This also allows the groups to network. Commissioner Lythgoe asked if, other than United Way, there are other organizations like this out there. Joy stated that there is not; Montana is small, so they are the only other federated giving entity in the state. Commissioner Lythgoe asked if most of the places that Montana Shares is involved with are also with United Way. Joy stated that virtually all operate in combination with United Way. They opened the door to giving campaigns, and they work really well with United Way; they don't feel that they are in competition with them.

Commissioner Weber asked, other than the requirement to be a 501(c)(3), are there any other restrictions to joining. Joy stated that an organization must have a volunteer board of directors, their finances are reviewed, they must be registered with the Secretary of State's office to do business, and not more than 25% of funds raised can be used for management. There is a long list of requirements, and they follow the federal guidelines. Members commit to speaking positively of other groups on the list and to be able to work together. Groups also need a volunteer base to participate. A group cannot be religious or receive funding from the United Way.

Commissioner Lythgoe asked if Montana Shares has gotten any criticism of any member groups. Joy stated that they have heard criticism from some groups. However, members choose where their money goes, so they can choose not to support those groups that they don't agree with.

Commissioner Weber stated that he is not sure if the Commission can make a determination at this time, since it was not put on the agenda to discuss and decide. Commissioner Lythgoe stated that this will have to back on an agenda for a decision. Joy stated that they will be approaching local organizations, as they already have the go-ahead from the schools.

DISCUSS REQUEST TO HELP FUND ENGINEERING FOR THE SOUTH HELENA INTERCHANGE PROJECT

Commissioner Lythgoe stated that many months ago, Peccia & Associates made a request to the County to help with funding the engineering portion of the South Helena Interchange project. He stated that he thinks similar requests were also sent to Lewis and Clark County and the City of Helena. There is a new Commission now, so he wanted to discuss this again. Commissioner Lythgoe stated that from reading the paper, it looks like more federal dollars may be available.

Bob Peccia stated that he has been working on the South Helena Interchange for some time. He stated that the Highway Bill is ready for the President's signature, and funds will be available for Montana projects, but he is not sure how much will come to this project. Bob stated that the

price has risen since the project began because of design changes, and the engineering costs have risen to \$900,000 at this point. Some private funds have been gathered, and he also hopes that federal funds will be available. Gordon Larson stated that there is a meeting scheduled for the 8th. He hasn't seen an agenda yet, but he thinks they will be discussing right-of-way transfers. He stated that they have been working on the plans for some time, and the final should be done by August 31. The county will get a copy of the plans, and hopefully they will be ready for construction in the next month.

Gordon stated that the plans for the roundabout have taken three months. MDT has made changes to the requirements, and utilities are getting sorted out. MDT has stated that they will fund the roundabout on their own. Harold asked if MDT has done anything on utilities and landscaping, reducing them to save money. Gordon stated that they have not reduced the landscaping, but have reduced the lighting.

Commissioner Lythgoe stated that the reason he brought this up is because Bob approached Jefferson County, as well as Lewis and Clark and Helena, some time ago about this request. Jefferson County has, through the CTEP program, committed money for curbs and gutters, but it does not address Bob's request. Again, this needs to be discussed before the final budget. He feels this is a legitimate request. Commissioner Weber asked why this isn't included as part of the total budget. Bob stated that the purpose of the public/private cooperation was to accelerate the process. They hoped to get some work done before MDT had the money. Commissioner Lythgoe stated that one reason the South Helena Interchange project is a high priority is because of the public/private cooperation, and because Peccia stepped up. MDT was impressed with the partnership aspect.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER